

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1939A

1 WHEREAS, Nebraska Heart Institute, P.C. has submitted an application
2 designated as Special Permit No. 1939A for authority to revise the site layout and adjust
3 the boundary for Special Permit 1939 which includes an 80 bed hospital and a 30,000
4 square foot medical office building on property located at S. 91st Street and the proposed
5 Heritage Lakes Drive, and legally described to wit:

6 A portion of Lot 82 I.T., located in the Northeast Quarter of
7 Section 23, Township 9 North, Range 7 East of the 6th P.M.,
8 Lancaster County, Nebraska, and more particularly described
9 as follows:

10 Commencing at the northeast corner of said Northeast
11 Quarter; thence on an assumed bearing of south 00 degrees
12 07 minutes 15 seconds east along the east line of said
13 Northeast Quarter, a distance of 50.00 feet to a point; thence
14 south 89 degrees 52 minutes 45 seconds west, a distance of
15 50.00 feet to the northeast corner of the remaining portion of
16 Lot 82 I.T.; thence south 00 degrees 07 minutes 15 seconds
17 east along the east line of said remaining portion of Lot 82 I.T.,
18 a distance of 50.00 feet to an east corner of said remaining
19 portion of Lot 82 I.T.; thence north 89 degrees 52 minutes 54
20 seconds east along a north line of said remaining portion of Lot
21 82 I.T., a distance of 17.00 feet to an east corner of said
22 remaining portion of Lot 82 I.T.; thence south 00 degrees 07
23 minutes 15 seconds east along the east line of said remaining
24 portion of Lot 82 I.T., a distance of 1,218.59 feet to a point;
25 thence south 55 degrees 32 minutes 46 seconds west, a
26 distance of 187.02 feet to a point; thence south 81 degrees 57
27 minutes 07 seconds west, a distance of 100.21 feet to a point;
28 thence south 59 degrees 01 minutes 51 seconds west, a
29 distance of 474.32 feet to a point of curvature; thence along a
30 curve in a counter clockwise direction, having a radius of
31 500.00 feet, an arc length of 153.58 feet, a delta angle of 17
32 degrees 35 minutes 57 seconds, a chord bearing of south 50

1 degrees 13 minutes 52 seconds west and a chord length of
2 152.98 feet to a point of tangency; thence south 41 degrees 25
3 minutes 54 seconds west, a distance of 42.78 feet to a point
4 of curvature; thence along a curve in a clockwise direction,
5 having a radius of 500.00 feet, an arc length of 91.81 feet, a
6 delta angle of 10 degrees 31 minutes 14 seconds, a chord
7 bearing of south 46 degrees 41 minutes 31 seconds west and
8 a chord length of 91.68 feet to a point of tangency; thence
9 south 51 degrees 57 minutes 07 seconds west, a distance of
10 196.74 feet to a point of curvature; thence along a curve in a
11 clockwise direction, having a radius of 202.52 feet, an arc
12 length of 73.13 feet, a delta angle of 20 degrees 41 minutes 27
13 seconds, a chord bearing of south 62 degrees 17 minutes 51
14 seconds west and a chord length of 72.74 feet to the true point
15 of beginning; thence along a curve in a clockwise direction,
16 having a radius of 202.52 feet, an arc length of 207.18 feet, a
17 delta angle of 58 degrees 36 minutes 52 seconds, a chord
18 bearing of north 78 degrees 02 minutes 59 seconds west and
19 a chord length of 198.26 feet to a point of tangency; thence
20 north 48 degrees 44 minutes 34 seconds west, a distance of
21 130.61 feet to a point; thence along a curve in a counter
22 clockwise direction, having a radius of 52.25 feet, an arc length
23 of 140.97 feet, a delta angle of 154 degrees 34 minutes 56
24 seconds, a chord bearing of north 89 degrees 55 minutes 32
25 seconds west and a chord length of 101.94 feet to a point of
26 tangency; thence south 12 degrees 46 minutes 59 seconds
27 west, a distance of 69.78 feet to a point of curvature; thence
28 along a curve in a clockwise direction, having a radius of 63.99
29 feet, an arc length of 54.10 feet, a delta angle of 48 degrees
30 26 minutes 27 seconds, a chord bearing of south 37 degrees
31 00 minutes 13 seconds west and a chord length of 52.50 feet
32 to a point of tangency; thence south 61 degrees 13 minutes 26
33 seconds west, a distance of 25.77 feet to a point of curvature;
34 thence along a curve in a counter clockwise direction, having
35 a radius of 308.32 feet, an arc length of 117.51 feet, a delta
36 angle of 21 degrees 50 minutes 12 seconds, a chord bearing
37 of south 50 degrees 18 minutes 20 seconds west and a chord
38 length of 116.80 feet to a point of tangency; thence south 39
39 degrees 23 minutes 14 seconds west, a distance of 67.74 feet
40 to a point of curvature; thence along a curve in a clockwise
41 direction having a radius of 107.86 feet, an arc length of 55.30
42 feet, a delta angle of 29 degrees 22 minutes 37 seconds, a
43 chord bearing of south 54 degrees 04 minutes 33 seconds
44 west and a chord length of 54.70 feet to a point of tangency;
45 thence south 68 degrees 45 minutes 51 seconds west, a

distance of 96.18 feet to a point of intersection with the west line of said remaining portion of Lot 82 I.T.; thence north 27 degrees 39 minutes 47 seconds west along the westerly line of said remaining portion of lot 82 I.T., a distance of 883.32 feet to a point of curvature; thence along a curve in a clockwise direction, having a radius of 935.00 feet, an arc length of 87.23 feet, a delta angle of 05 degrees 20 minutes 44 seconds, a chord bearing of north 24 degrees 59 minutes 24 seconds west along the westerly line of said remaining portion of Lot 82 I.T., a chord length of 87.20 feet to a westerly corner of said remaining portion of Lot 82 I.T.; thence north 22 degrees 15 minutes 58 seconds east along the westerly line of said remaining portion of Lot 82 I.T., a distance of 36.08 feet to a point of deflection; thence north 66 degrees 05 minutes 00 seconds east along a northwesterly line of said remaining portion of Lot 82 I.T., a distance of 10.04 feet to a point of deflection; thence north 18 degrees 34 minutes 09 seconds west along a westerly line of said remaining portion of Lot 82 I.T., a distance of 8.14 feet to a point; thence north 63 degrees 04 minutes 54 seconds east, a distance of 414.04 feet to a point of curvature; thence along a curve in a clockwise direction, having a radius of 367.00 feet, an arc length of 85.97 feet, a delta angle of 13 degrees 25 minutes 17 seconds, a chord bearing of north 69 degrees 47 minutes 32 seconds east and a chord length of 85.77 feet to a point; thence along a curve in a counter clockwise direction, having a radius of 66.50 feet, an arc length of 133.32 feet, a delta angle of 114 degrees 52 minutes 01 seconds, a chord bearing of north 83 degrees 43 minutes 55 seconds east and a chord length of 112.09 feet to a point; thence along a curve in a clockwise direction, having a radius of 370.00 feet, an arc length of 85.34 feet, a delta angle of 13 degrees 12 minutes 55 seconds, a chord bearing of south 79 degrees 23 minutes 59 seconds east and a chord length of 85.15 feet to a point of reverse curvature; thence along a curve in a counter clockwise direction, having a radius of 280.00 feet, an arc length of 94.96 feet, a delta angle of 19 degrees 25 minutes 54 seconds, a chord bearing of south 82 degrees 30 minutes 29 seconds east and a chord length of 94.51 feet to a point; thence along a curve in a counter clockwise direction, having a radius of 285.52 feet, an arc length of 34.58 feet, a delta angle of 06 degrees 56 minutes 22 seconds, a chord bearing of south 55 degrees 10 minutes 13 seconds east and a chord length of 34.56 feet to a point of tangency; thence south 60 degrees 46 minutes 13 seconds east, a distance of 269.25 feet to a point; thence south 20 degrees 22 minutes 02 seconds east, a distance of 255.67 feet

1 to a point; thence south 07 degrees 09 minutes 57 seconds
2 east, a distance of 532.19 feet to the point of beginning, said
3 tract contains a calculated area of 846,627.77 square feet or
4 19.44 acres, more or less;

5
6 WHEREAS, the real property adjacent to the area included within the site
7 plan for this change in the site layout and boundary adjustment of the area of the special
8 permit will not be adversely affected; and

9 WHEREAS, said site plan together with the terms and conditions hereinafter
10 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
11 Code to promote the public health, safety, and general welfare.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
13 Lincoln, Nebraska:

14 That the application of Nebraska Heart Institute, P.C., hereinafter referred to
15 as "Permittee", to revise the site layout and adjust the boundary for Special Permit 1939,
16 on the property legally described above, be and the same is hereby granted under the
17 provisions of Section 27.63.080 of the Lincoln Municipal Code upon condition that
18 construction and operation of said hospital and medical office building be in strict
19 compliance with said application, the site plan, and the following additional express terms,
20 conditions, and requirements:

21 1. This permit approves a 95,000 square foot health care facility with 80
22 beds and a 30,000 square foot medical office building.

23 2. Before occupying the buildings:

24 a. South 91st Street and Heritage Lakes Drive shall be
25 constructed adjacent to the property.

- b. The Applicant shall have constructed the right turn lane shown at the entrance on South 91st Street.
3. Before receiving building permits:
 - a. The Permittee shall have submitted a revised and reproducible final plan including five copies.
 - b. The construction plans must conform to the approved plans.
4. Before occupying the facility all development and construction must be completed in conformance with the approved plans.
5. All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
6. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
7. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
8. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

1 9. The site plan as approved with this resolution voids and supersedes
2 all previously approved site plans, however, all resolutions approving previous permits
3 remain in force unless specifically amended by this resolution.

4 BE IT FURTHER RESOLVED that the requirements of the Land Subdivision
5 Ordinance are hereby modified to allow final plats to be approved if said plats are
6 submitted in accordance with this Special Permit.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2002:

Mayor